

What is Regularisation?

Regularisation is a process whereby Building Control Services assess unauthorised building work. If the work appears to comply with the Building Regulations then an approval certificate can be obtained. The process is often highlighted during the sale of a property where the property owner will be asked to provide evidence of approval for any relevant building works carried out to the property. If approval has not been sought or gained, a Regularisation application must be made and the works inspected by a Building Control Surveyor.

The inspection will ensure that unauthorised works are compliant with the Building Regulations that were in operation at the time these works were carried out. Building Control Services will issue a certificate of Regularisation once we are satisfied that there are no health and safety risks associated with the works. Regularisation can be requested for domestic or commercial works.

The application process

A Regularisation application form must be submitted to the Building Control Service by the person who is legally responsible for the works. The completed application must detail:

- A description of the unauthorised work or works
- The date these works were undertaken
- The use of the building

Once a Regularisation application has been received, Building Control Services will arrange to survey the work. The Building Control Surveyor will assess compliance of the work with Building Regulations and advise of any necessary remedial work that needs to be carried out in order for a certificate to be issued. On occasion, plans of the work may be requested and should be submitted with the relevant fee.

The Regularisation fee payable to the Council is based upon the estimated cost of the unauthorised works against a sliding scale of costs. A copy of this can be obtained from Building Control Services or viewed on the Council website.

Verification that work has been carried out to the required standard may involve opening up and exposure of certain critical areas for inspection or investigation.

Compliance

If remedial work is necessary to ensure compliance with Building Regulations, the owner of the property has a responsibility to ensure that this work is undertaken. Building Control Services aims to assist applicants as best it can to ensure that any unauthorised work complies with the minimum standard relevant at the time the works were undertaken.

In circumstances where an applicant takes the decision not to proceed with the additional or remedial work for reasons of expense or disruption, the Building Control Service is required to review the nature and seriousness of such a decision and act accordingly. This may mean the commencement of legal proceedings if appropriate.

Additional information

Applicants should be aware that once a Building Control Surveyor is invited onto a property on behalf of the Council, issues cannot be ignored that might be detrimental to the health and safety of the occupants of and visitors to the building. This also applies to viewed work that does not form part of the Regularisation application.

In certain circumstances, unauthorised building works can negate the conditions of home insurance contracts.

The Regularisation process is not available for work completed prior to October 1973, as there is no legal mechanism for dealing with this work.

If you require further information on Regularisation or would like to discuss any building work you suspect to have been carried out without the necessary Building Control permission, please contact Building Control Services for advice.

If you require any further advice please contact...

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